

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

JOHN LICHTERMAN, et al.

PLAINTIFFS

v.

CAUSE NO.: 1:07-CV-256-SAA-JAD

PICKWICK PINES MARINA, INC. et al.

DEFENDANTS

ORDER DENYING MOTION FOR INJUNCTION PENDING APPEAL

This cause came on for consideration on Plaintiffs', John Licherman, Vince Marascuilo, and Marsha Marascuilo, Emergency Injunction Pending Appeal. The Court, having reviewed submitted briefs, statutory and case law is of the following opinion:

The Court denies Motion for Injunction Pending Appeal. Plaintiffs have not established the requisite factors in order to succeed upon an injunction pending an appeal. Work may continue in the fifty-foot buffer in accordance with this Court's prior Order [40].

SO ORDERED, this the 19th day of December, 2007.

/s/ Sharion Aycock

UNITED STATES DISTRICT JUDGE